

The Berryville Town Council held a joint public hearing with the Clarke County Board of Supervisors on December 12, 2006 in the Town Council Chambers at 15 E. Main Street, Berryville, Virginia.

The following were present:

Council - Richard G. Sponseller, Mayor  
Harry Lee Arnold, Jr., Recorder  
Wilson Kirby  
Barry Nicholson  
Allen Kitselman

Board of Supervisors –  
John Staelin, Chairman  
Michael Hobert  
David Weiss  
Barbara Byrd

Staff - Keith R. Dalton, Town Manager  
Christy Dunkle, Asst. Town Mgr/Town Planner  
Chief Neal White, Police Department  
Celeste Heath, Town Clerk

Press - Winchester Star: Bob Igoe,  
Clarke Times Courier: Kim Hahn

Mayor Sponseller called the TOWN COUNCIL MEETING to order at 6:30 p.m. on December 12, 2006 in the Town Council Chambers at 15 E. Main Street, Berryville, Virginia.

Mr. Dalton read the public hearing notice as follows:

The Town of Berryville and the County of Clarke propose to request that the Commonwealth Transportation Board approve the restriction of Through Truck Traffic on a portion of Main Street (Business Route 7) in Berryville in accordance with § 46.2-809 of the Code of Virginia.

Through trucks would be prohibited on Main Street from First Street (Route T-615), west to the intersection of Main Street and Route 7 (Bypass Route 7) west of Berryville.

The proposed alternate routes are:

For traffic traveling south on First Street and all points east of the intersection of Main and First Streets: Traffic to turn left (east) onto Main Street and proceed to intersection of Main Street and Route 7 east of Berryville: - East bound traffic to turn right on Route 7 – West bound traffic to turn left on Route 7 – South bound traffic to turn left on Route 7 and then turn onto Route 340 south – North bound traffic to turn left on Route 7 and then turn onto Route 340 north

For traffic traveling north on Route 340 south of Main Street: Traffic to proceed north on Route 340 across Main Street: – East bound traffic to turn right onto Route 7 - West bound traffic to turn left onto Route 7 – North bound traffic to continue straight on Route 340

For Traffic traveling south on Route 340 north of Main Street: South bound traffic to continue straight on Route 340 – West bound traffic to turn right onto Route 7, north of Town – East bound traffic to turn left onto Route 7, north of Town

For traffic traveling east on Route 7, west of Town: east bound continue traveling east on Route 7 – South bound continue east on Route 7 then turn onto Route 340 South – North bound continue east on Route 7 then turn onto Route 340 north

For traffic traveling west on Route 7, east of Town: West bound continue traveling west on Route 7 – South bound continue west on Route 7 then turn onto Route 340 South – North bound continue west on Route 7 then turn onto Route 340 north

Mayor Sponseller asked for public comment.

Kenneth Pruitt of Boyce said that he was concerned about what type of truck that this would restrict. He said that he hauls livestock through town on his way to the fairgrounds.

Mr. Dalton explained that what was advertised in the public hearing notice was a restriction on trucks that are 7500 pounds or greater. He said that he believes that the board and council are interested only in the restriction of tractor and trailers. He noted that VDOT is present and will be able to help define “tractor and trailer” more specifically.

Mr. Pruitt asked if a gooseneck trailer going from Boyce to the fairgrounds would be restricted. Council member Nicholson said that it would not because the fairgrounds are a destination within the restricted area.

There was a general discussion of what types of trucks this ordinance should restrict. Mayor Sponseller reiterated that this is a through-truck restriction, not a restriction on trucks that have a destination in town.

Jeff Lineberry of VDOT read an excerpt from state code section 46.2-809 that indicates that a truck restriction can't restrict a panel or a pickup truck.

There was a general discussion of the problems that trucks have making the turn at Route 340 and Main Street.

There was then a discussion of truck weight and how it might be used to restrict tractor trailers.

Council member Nicholson said that he is trying to figure out if a weight restriction would help the police to enforce the truck restriction.

Chairman Staelin asked Mr. Lineberry how this restriction has been adopted in other places. Mr. Lineberry said that some have restricted “truck and trailer” and/or weight restrictions.

Council member Arnold asked if using the term “semi-truck and trailer” was a possibility. Mr. Lineberry said he wasn't sure how that fit in because a truck with a fifth wheel assembly might not necessarily be a semi.

Mr. Dalton asked if it would be permissible and enforceable to restrict semi-trucks and trailers.

Mr. Lineberry said that it would be permissible. He said that the transportation board would look at how much of the current traffic is truly through traffic and that there may still be a number of trucks in the area if they are making a stop in town.

Supervisor Byrd asked how American Woodmark routes their trucks. Council member Nicholson said that they come from Route 7, to East Main Street and then to Station Road.

Council member Nicholson asked Chief White what kind of definition would make this restriction easiest to enforce. Chief White said that defining semi-truck and trailer would make it easier to enforce than a weight or length restriction.

Mr. Lineberry then read a definition from state code section 46.2-100 defining a tractor truck as follows: "Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto. He said that a beverage truck carrying a trailer would be restricted under this definition if it didn't have a local destination.

Mr. Dalton asked if the language in the ordinance were changed to restrict through tractor trucks, would it meet the need and pass muster with the transportation board.

Mr. Lineberry said he believes that it would.

Bob Childress of VDOT said that the definition of truck is as follows: every motor vehicle designed to transport property on its own structure independent of any other vehicle and having a registered gross weight in excess of 7,500 pounds.

Council member Nicholson said that the council doesn't want to be that restrictive. Mayor Sponseller suggested that "through tractor truck" should be substituted for "through tractor" in the ordinance.

Mr. Lineberry suggested that the ordinance should probably read "tractor truck and trailer" to achieve the desired effect.

There being no further comment from the public, Board of Supervisors or Town Council., on motion by Council member Arnold, seconded by Council member Nicholson and passed by voice vote, the public hearing was adjourned at 6:50 p.m.

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Richard G. Sponseller, Mayor

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Harry Lee Arnold, Jr., Recorder